



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Holly Cheser,  
Supervising Pensions Benefits  
Specialist (PS2553U), Department of  
the Treasury

Request for List Revival

CSC Docket No. 2019-1225

**ISSUED: January 17, 2019 (VJ)**

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The Department of the Treasury requests the revival of the list for Supervising Pensions Benefits Specialist (PS2553U) to allow for the retroactive permanent appointment date of Holly Cheser, effective July 7, 2018.

By way of background, the subject eligible list of eight names, including Cheser who was ranked number one, promulgated on September 8, 2016. One certification issued and resulted in three appointments. The subject eligible list expired on September 7, 2018.

Cheser submitted a classification appeal of her position and on September 27, 2018, the Division of Agency Services (Agency Services) issued a classification determination finding that the most appropriate classification for Cheser's position was Supervising Pensions Benefits Specialist with an effective date of July 7, 2018.

Treasury requests that the subject eligible list be revived so that Cheser may be appointed since it agrees with Agency Services classification decision. Treasury notes that this effective date is prior to the expiration date of the subject eligible list. Moreover, it argues that as Cheser's name was reachable on the PS2553U eligible list, it would be unfair to make her compete against a large population of employees who may be eligible if an examination was announced for the subject title.

**CONCLUSION**

*N.J.S.A.* 11A:4-6 and *N.J.A.C.* 4A:4-3.4 provide that an eligible list may be

revived in order to implement a court order or decision of the Civil Service Commission in the event of a successful appeal instituted during the life of a list, to correct an administrative error, or for other good cause. Additionally, *N.J.A.C. 4A:4-1.10(c)* states that an individual may receive a retroactive date of appointment to correct an administrative error, for an administrative delay or for other good cause. Generally, the award of a retroactive appointment date is for seniority purposes only and is limited to situations in which an appellant could have been appointed on the requested retroactive date, but as a result of an administrative error, he or she received a later appointment date.

In the instant matter, Agency Services issued a classification determination on September 27, 2018 finding that the most appropriate classification for Cheser's position was Supervising Pensions Benefits Specialist with an effective date of July 7, 2018. Moreover, the record demonstrates that Cheser was the first listed eligible on the subject eligible list. Therefore, under these circumstances, good cause has been established to revive the subject eligible list so that Cheser may be appointed to the title of Supervising Pensions Benefits Specialist. Moreover, Cheser shall be given a retroactive date of permanent appointment to July 7, 2018, upon her successful completion of a current working test period, for salary step placement and seniority-based purposes only.

### **ORDER**

Therefore, it is ordered that this request be granted and the eligible list for Supervising Pensions Benefits Specialist (PS2553U), Department of the Treasury eligible list be revived to effectuate the retroactive appointment of Holly Cheser, effective July 7, 2018.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 16<sup>th</sup> DAY OF January 17, 2019



Deirdre L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Christopher S. Myers  
Director  
Division of Appeals  
and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312

c: Douglas J. Ianni  
Holly Cheser  
Kelly Glenn  
Records Center